

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION

UNITED STATES OF AMERICA

v.

DOUGLAS STEPHEN GROOVER

No. 6:19-CR-039-H
(supersedes indictment on 10/9/19)

SUPERSEDING INDICTMENT

The Grand Jury Charges:

Count One

Enticement and Attempted Enticement of a Minor
(Violation of 18 U.S.C. § 2422(b))

From in or around October 2014, through in or around May 2018, in the San Angelo Division of the Northern District of Texas, and elsewhere, **Douglas Stephen Groover**, defendant, did knowingly use a facility and means of interstate and foreign commerce, including a computer, to persuade, induce, and entice, and attempt to persuade, induce, and entice, “Jane Doe,” an individual who had not attained the age of eighteen (18) years, to engage in sexual activity for which **Groover** could be charged with a criminal offense, that is, a violation of Section 22.011(a)(2), of the Texas Penal Code, which makes it a crime to intentionally and knowingly cause the penetration of the anus and sexual organ of a child (a person younger than 17 years of age, not the spouse of the actor) by any means, to cause the penetration of the mouth of a child by the sexual organ of the actor, to cause the sexual organ of a child to contact and penetrate the mouth, anus, and sexual organ of another person, including the actor, to cause the anus of a child

to contact the mouth, anus, and sexual organ of another person, including the actor, and to cause the mouth of a child to contact the anus and sexual organ of another person, including the actor.

In violation of Title 18, United States Code, Section 2422(b).

Count Two
Production of Child Pornography
(Violation of 18 U.S.C. §§ 2251(a) and 2251(e))

On or about October 17, 2014, within the San Angelo Division of the Northern District of Texas and elsewhere, the defendant, **Douglas Stephen Groover**, attempted to and did employ, use, persuade, induce, entice, and coerce a minor to engage in, and have a minor assist any other person to engage in, sexually explicit conduct for the purpose of producing any visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction will be transported and transmitted using any means and facility of interstate and foreign commerce and mailed, and which visual depiction was actually transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce and mailed, and which visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means including by computer, to wit: conduct memorialized in visual depictions entitled “DSCN2985.MOV,” “DSCN2987.MOV,” and “DSCN2988.MOV,” located on a 16GB SanDisk Ultra Plus micro SD card.

All in violation of Title 18, United States Code, Sections 2251(a) and (e).

Count Three
Production of Child Pornography
(Violation of 18 U.S.C. §§ 2251(a) and 2251(e))

On or about November 9, 2014, within the San Angelo Division of the Northern District of Texas and elsewhere, the defendant, **Douglas Stephen Groover**, attempted to and did employ, use, persuade, induce, entice, and coerce a minor to engage in, and have a minor assist any other person to engage in, sexually explicit conduct for the purpose of producing any visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction will be transported and transmitted using any means and facility of interstate and foreign commerce and mailed, and which visual depiction was actually transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce and mailed, and which visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means including by computer, to wit: conduct memorialized in visual depictions entitled "DSCN3121.MOV," located on a 16GB SanDisk Ultra Plus micro SD card.

All in violation of Title 18, United States Code, Sections 2251(a) and (e).

Count Four
Production of Child Pornography
(Violation of 18 U.S.C. §§ 2251(a) and 2251(e))

On or about November 26, 2014, within the San Angelo Division of the Northern District of Texas and elsewhere, the defendant, **Douglas Stephen Groover**, attempted to and did employ, use, persuade, induce, entice, and coerce a minor to engage in, and have a minor assist any other person to engage in, sexually explicit conduct for the purpose of producing any visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction will be transported and transmitted using any means and facility of interstate and foreign commerce and mailed, and which visual depiction was actually transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce and mailed, and which visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means including by computer, to wit: conduct memorialized in visual depictions entitled "DSCN3159.MOV," located on a 16GB SanDisk Ultra Plus micro SD card.

All in violation of Title 18, United States Code, Sections 2251(a) and (e).

Count Five
Production of Child Pornography
(Violation of 18 U.S.C. §§ 2251(a) and 2251(e))

On or about December 21, 2014, within the San Angelo Division of the Northern District of Texas and elsewhere, the defendant, **Douglas Stephen Groover**, attempted to and did employ, use, persuade, induce, entice, and coerce a minor to engage in, and have a minor assist any other person to engage in, sexually explicit conduct for the purpose of producing any visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction will be transported and transmitted using any means and facility of interstate and foreign commerce and mailed, and which visual depiction was actually transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce and mailed, and which visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means including by computer, to wit: conduct memorialized in visual depictions entitled "DSCN3196.MOV," located on a 16GB SanDisk Ultra Plus micro SD card.

All in violation of Title 18, United States Code, Sections 2251(a) and (e).

Count Six
Production of Child Pornography
(Violation of 18 U.S.C. §§ 2251(a) and 2251(e))

On or about September 18, 2015, within the San Angelo Division of the Northern District of Texas and elsewhere, the defendant, **Douglas Stephen Groover**, attempted to and did employ, use, persuade, induce, entice, and coerce a minor to engage in, and have a minor assist any other person to engage in, sexually explicit conduct for the purpose of producing any visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction will be transported and transmitted using any means and facility of interstate and foreign commerce and mailed, and which visual depiction was actually transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce and mailed, and which visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means including by computer, to wit: conduct memorialized in a visual depiction entitled “DSCN3641.MOV,” located on a 16GB SanDisk Ultra Plus micro SD card.

All in violation of Title 18, United States Code, Sections 2251(a) and (e).

Count Seven
Production of Child Pornography
(Violation of 18 U.S.C. §§ 2251(a) and 2251(e))

On or about August 19, 2016, within the San Angelo Division of the Northern District of Texas and elsewhere, the defendant, **Douglas Stephen Groover**, attempted to and did employ, use, persuade, induce, entice, and coerce a minor to engage in, and have a minor assist any other person to engage in, sexually explicit conduct for the purpose of producing any visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction will be transported and transmitted using any means and facility of interstate and foreign commerce and mailed, and which visual depiction was actually transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce and mailed, and which visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means including by computer, to wit: conduct memorialized in a visual depiction entitled “DSCN3701.MOV,” located on a 16GB SanDisk Ultra Plus micro SD card.

All in violation of Title 18, United States Code, Sections 2251(a) and (e).

Count Eight
Production of Child Pornography
(Violation of 18 U.S.C. §§ 2251(a) and 2251(e))

On or about August 26, 2017, within the San Angelo Division of the Northern District of Texas and elsewhere, the defendant, **Douglas Stephen Groover**, attempted to and did employ, use, persuade, induce, entice, and coerce a minor to engage in, and have a minor assist any other person to engage in, sexually explicit conduct for the purpose of producing any visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction will be transported and transmitted using any means and facility of interstate and foreign commerce and mailed, and which visual depiction was actually transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce and mailed, and which visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means including by computer, to wit: conduct memorialized in a visual depiction entitled “DSCN3996.MOV,” located on a 32GB Samsung micro SD card.

All in violation of Title 18, United States Code, Sections 2251(a) and (e).

Count Nine

Possession of Prepubescent Child Pornography
(Violation of 18 U.S.C. §§ 2252A(a)(5)(B), (b)(2))

On or about August 29, 2018, in the San Angelo Division of the Northern District of Texas, and elsewhere, **Douglas Stephen Groover**, defendant, did knowingly possess, and attempt to possess, a 16GB SanDisk SD card, containing at least one image of child pornography as defined in 18 U.S.C. § 2256(8)(A), that involved a prepubescent minor, and a minor who had not attained 12 years of age, and that had been mailed, shipped, and transported using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed and shipped and transported in interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B),
2252A(b)(2).

Forfeiture Notice
(18 U.S.C. § 2253)

Upon conviction of any offense alleged in this superseding indictment, and pursuant to 18 U.S.C. §§ 2253(a) and 2428, defendant **Douglas Stephen Groover** shall forfeit to the United States of America: (a) any visual depiction described in Section 2251, 2252, or 2252A of Chapter 110, and any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Chapter 110; (b) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from any offense alleged in this indictment; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of any offense alleged in this indictment, and any property traceable to such property.

The above-referenced property subject to forfeiture includes, but is not limited to, the following:

- a. All electronic devices containing depictions of child pornography;
- b. Sony Camcorder Handycam, bearing serial number 85963;
- c. HP laptop pavilion, bearing serial number 5CDT20153D;
- d. LG K540 Stylo 2 cellular telephone, bearing IMSI number 310150701435124;
- e. Acer Chrome book with unknown serial number;
- f. a Sig Sauer M400 (AR-15) rifle with unknown serial number;
- g. a Smith & Wesson, MP Bodyguard, .380 caliber pistol with unknown serial number;

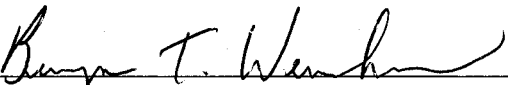
- h. 16 GB SanDisk Ultra Plus micro SD card; and
- i. 32 GB Samsung micro SD card

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. §§ 2253(b) and 2428, to seek forfeiture of any other property of the said defendant up to the value of the forfeitable property described above.

A TRUE BILL


FOREPERSON

ERIN NEALY COX
UNITED STATES ATTORNEY


for RUSSELL H. LORFING

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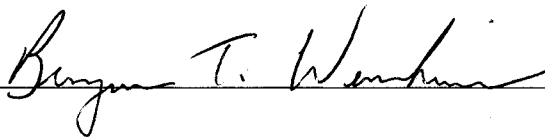
SUPERSEDING INDICTMENT

- COUNT 1: ENTICEMENT AND ATTEMPTED ENTICEMENT OF A
MINOR
Title 18, United States Code, Section 2422(b).
- COUNTS 2-8: PRODUCTION OF CHILD PORNOGRAPHY
Title 18, United States Code, Sections 2251(a) and 2251(e)
- COUNT 9: POSSESSION OF PREPUBESCENT CHILD PORNOGRAPHY
Title 18, United States Code, Sections 2252A(a)(5)(B), 2252A(b)(2).

(Nine counts and forfeiture notice)

A true bill rendered,

Amarillo



Foreperson

Filed in open court this 19th day of December, A.D. 2019

Clerk

DEFENDANT IN FEDERAL CUSTODY


UNITED STATES MAGISTRATE JUDGE